

REF-6248
213

13 March 1951

MEMORANDUM TO MR. HOUSTON
25X1A9a

FROM: [REDACTED]

1. Reference is made to memorandum of 3 March 1951 from Colonel Baird to DD/A forwarding therewith revision to AI No. 60-18 and Paragraph 10.1 of the CFRs.
2. I foresee no difficulty under either of these revisions, but feel some comment is appropriate in connection with Paragraph 7 of the proposed revision to AI No. 60-18 and Paragraph 10.1b of the revision to Paragraph 10.1 of the CFRs.
3. Paragraph 7 refers to agreements between the Agency and employees given such education and training so as to ensure a reasonable period of service upon completion of schooling. The propriety of such assurance cannot be challenged, however its enforcement may possibly present some difficulty. It would be impossible to impose any services upon an unwilling employee, which suggests a liquidated amount, perhaps the cost of the schooling, as the measure of damages in the event of breach. This would equate to a debt due and owing to the Government which upon default would be immediately due and payable.

4. Proposed revision to 10.1b carries the following language:

"Such approval may include tuition and related educational expenses, and any additional living, travel, or similar expenses resulting from such schooling."

I believe the above quoted sentence may be too broad and therefore present more difficulty to our certifying people. I would suggest, therefore, the following sentence:

"Such approval may include tuition and educational expenses and any reasonable or necessary living, traveling, or other expenses incurred in connection with such schooling and incident to the purpose of the Government."

In the above sentence the expense qualifies as a government expense upon it being reasonable and necessary and incident to a government purpose. I believe this should be the standard. Sweeping standards sometimes have the unhappy faculty of covering items of a personal or semi-personal nature.

~~SECRET~~

Attach: Memo of 3 March
copy of this memo hand-carried to DD/A

cross reference: 231 (Accounting)
322 (1951)-Allowance
Travel